

REMARKS

The office action of February 5, 2004, has been carefully considered.

It is noted that corrected drawings are required.

Claim 14 is rejected under 35 U.S.C. 112, first paragraph.

Claims 11, 12, 14-17, 19 and 20 are rejected under 35 U.S.C. 112, second paragraph.

Claims 19 and 20 are rejected under 35 U.S.C. 102(b) over the patent to Shearon.

Claims 11, 12 and 14 are rejected under 35 U.S.C. 103(a) over Shearon in view of the patent to Kobayashi et al.

Claims 11, 12 and 14-16 are rejected under 35 U.S.C. 103(a) over the patent to Read in view of Kobayashi et al. and Shearon.

Claim 17 is rejected under 35 U.S.C. 103(a) over Read in view of Kobayashi et al. and Shearon, and further in view of German

reference 994 919 (GP '919).

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) over Read in view of GP '919 and Shearon.

In connection with the drawings, applicant has attached hereto substitute sheets of Figs. 1, 3 and 4.

In view of the Examiner's rejections of the claims, applicant has amended claims 11, 12, 14-17 and 19-20.

It is respectfully submitted that the claims now on file contain subject matter which is sufficiently described in the specification so as to enable one skilled in the art to make and/or use the invention. The Examiner has apparently taken a passage of claim 14 out of context. Claim 14 recites that the transport drums are arranged on a rolling table. Applicant has amended claim 14 to delete reference to the rolling table so that the interpretation of claim 14 made by the Examiner is no longer possible.

In view of these considerations it is respectfully submitted that the rejection of claim 14 under 35 U.S.C. 112, first

paragraph is overcome and should be withdrawn.

Applicant also respectfully submits that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness cited by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 11, 12, 14-17, 19 and 20 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the methods and constructions disclosed in the references.

Turning now to the references and particularly to the patent to Shearon, it can be seen that this patent discloses a rotary web chopper. The device of Shearon is for high speed transverse separation of individual sheets from a continuous web using cooperating cutters arranged on oppositely rotating shafts. The web is fastened and wrapped around one of the cutting wheels. The

blade on the other shaft has a shaped outer surface that defines an epitrochoidal profile along its entire length. The blade on the other shaft has a straight cutting edge that defines an accurate cutting edge. The Shearon patent concerns itself with the provision of a vacuum to the knife drum of the type taught by Shearon. The Shearon patent has no disclosure concerning a device for guiding and supporting sheet metal or metal strip as is taught by the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claims 19 and 20 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

The patent to Kobayashi et al. discloses an apparatus and method for cutting a fabric web with a rotating cutter including a cutting roll having a suction chamber and an exhaust chamber. The chambers are arranged in the interior of the roll and are provided with first, second and third air jet openings that are provided with openings in the outer periphery of the knife drum.

The Examiner combined Kobayashi et al. with Shearon in determining that claims 11, 12 and 14 would be unpatentable over such a combination. Applicant respectfully submits that neither of

these references, nor their combination, teach a method for guiding and supporting a thin sheet metal or metal strip during transport across a conveying device and through transport drums or blade carrier drums before, during or after a cutting process, as in the present invention. Neither of the references deals with guiding or supporting metal strip and thus neither of the references can provide any suggestion for a method that does guide sheet metal or metal strip. The references only deal with paper or fabric. Without some teaching concerning metal the references do not motivate one skilled in the art to arrive at the presently claimed invention from the teachings of the references.

In view of these considerations it is respectfully submitted that the rejection of claims 11, 12 and 14 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

The patent to Read discloses means for controlling and directing moving sheets or webs. This patent also deals with fabric webs. Thin sheet metal and metal strip are considerably heavier than fabric or paper webs and thus a reference that deals with fabric or paper webs provides no teaching concerning metal sheet or metal strip and also provides no motivation for a method

dealing with metal in view of the completely different conditions being dealt with that are not faced with fabric and paper.

The Examiner combined Read with Kobayashi et al. and Shearon in determining that claims 11, 12 and 14-16 would be unpatentable over such a combination. Applicant respectfully submits that none of these references, taken alone or in combination, provides any teaching concerning a method for guiding and supporting a thin sheet metal or metal strip during transport across a conveying device and through drums selected from the group consisting of a transport drum and a blade carrier drum during, before or after a cutting process carried out by shears, as in the presently claimed invention. Without some teaching concerning metal strip or sheet metal the references do not teach or suggest the present invention.

In view of these considerations it is respectfully submitted that the rejection of claims 11, 12 and 14-16 under 35 U.S.C. 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

As for the German reference which was further cited against claims 17, 19 and 20, it has also been considered. Since it does



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not come closer to the presently claimed subject matter than the references discussed above it is believed that any detailed discussion at this time would be superfluous. Therefore, it is respectfully submitted that the rejections of claims 17, 19 and 20 under 35 U.S.C. 103(a) are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

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Respectfully submitted, MAY 13 2004

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on May 5, 2004.

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Date: May 5, 2004